

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NELSON MBONY, as)
Administrator of the Estate of)
Fidelis Mbony,)
Plaintiff,)
v.) CIVIL ACTION
PRIORITY ONE PACKAGING) NO. 08-10538-JGD
MACHINERY, LTD.,)
Defendant.)

SCHEDULING ORDER

Following a scheduling conference held today in accordance with Fed. R. Civ. P. 16(a), it is hereby ORDERED as follows:

1. The court adopts the following schedule proposed by the parties in their

Joint Statement:

- a. The parties shall complete all fact witness depositions by **June 15, 2010**.
- b. By **July 15, 2010**, the plaintiff shall identify any expert witnesses and serve any expert reports pursuant to Fed. R. Civ. P. 26(a)(2).
- c. By **August 15, 2010**, the defendant shall identify any expert witnesses and serve any expert reports pursuant to Fed. R. Civ. P. 26(a)(2).
- d. The parties shall file any motions pursuant to Fed. R. Civ. P. 37 by **September 1, 2010**.
- e. The parties shall complete any expert depositions by **September 15, 2010**.

- f. The parties shall file any dispositive motions, including any motions for summary judgment, by **September 30, 2010**.
- g. Any concise statement of material facts that is filed pursuant to Local Rule 56.1 in opposition to a motion for summary judgment shall include numbered paragraphs admitting or denying, paragraph by paragraph, the facts contained in the moving party's concise statement of material facts.

2. The next status conference shall take place on **August 23, 2010 at 2:30 p.m.** in Courtroom #15 on the 5th floor. At that time, the parties shall be prepared to discuss:

- (i) the status of the case;
- (ii) scheduling for the remainder of the case through trial; and
- (iii) the use of alternative dispute resolution ("ADR") programs.

3. The parties shall submit a brief joint statement no later than five (5) business days before the conference addressing the issues itemized in paragraph 2 above. With respect to the use of ADR, the parties shall indicate whether an agreement has been reached, but shall not identify their respective positions.

Dated: January 12, 2010

/ s / Judith Gail Dein
Judith Gail Dein
United States Magistrate Judge